LOREDANO. We have decided.

THE DOGE. We!

LOREDANO. The ten in Council.

LORD BYRON.

ABUSE OF JUSTICE.

To all whom it may concern :—

Do not be alarmed by the portentous words at the head of this article. There is already "*satis superque*" enough—and more than enough of grave matter in the subject ; and, although the abuses of justice may afford little opportunity for sprightliness and wit, we shall, at least, forbear to propose our crude suggestions, with dogmatic and oracular solemnity upon a subject, which has long been agitating the public mind. Pamphlet upon Pamphlet, and Review after Review may be stuffed with long and vehement diatribes upon the defects and enormities of the administration of Justice in the Province of Quebec.

By some it is called strange, anomalous, inefficient, barbarous, and a hundred hard names into the bargain—with many of these remarks we cordially agree.

The freedom of our citizens is not only to be found in rational and humane laws, but in an effective and enlightened magistracy ; and in the judicious and proper selection of officers of Justice, in whose hands, as conservators of the peace, executive duties are legally placed.

The annals of our Recorder's Court are something monstrous : poor, shelterless persons apprehended by the Police, and convicted, mulct of money, fined, and imprisoned for sleeping, and even walking in the streets—men and women apprehended on suspicions, the Police aided and abetted in their habit of using a preventive power, indiscriminately, harshly, and oppressively—an unfortunate man or woman taken to the Station House because the policeman thinks, in his sagacity, that he or she might be disorderly if they walked about the streets any longer, as if it was not the right of any man or woman, citizen or stranger, to walk about the streets at any hour of the day and night ; whereas petty offences are often connived at, rather than detected. An occasional drunkard, or rather drunken man or woman is a fitter subject for the Recorder's Court than the immatured thief, the juvenile depredator, and the open violator of the city by-laws.

In our Superior Court—Guibord appears ! Come thou in the likeness of a member of the Institut Canadien ! Come from thy Charnel House as a witness to the arbitrary rigour and inquisitorial conduct of Clergy and Judges ! Confront these ministers of the Gospel of Christ (?) and the Law of the land (?)

Come ye incendiaries ! Come ye, guilty of arson ! Come forth and petition the Corporation for the office of Fire Marshals, and get the Judges and Juries—for there is nothing base in the conduct of the one, nor venal in the verdicts of the other—to recommend you as Fire Inspectors to the "Citizens Insurance Company." You burners, you know not to what height you may eventually raise resources yet untried, and capabilities hitherto undeveloped.

You have scarcely passed your infant state; we indulge the disinterested hope, for the happiness of the owners of house property, that your maturity may be glorious. These principles which are inherent in your natures cannot be destroyed—like some of the aldermen you may write "*ne varietur*" in your margins.

What can be said of the Dogberry who is the presiding Genius of the Police Court? As long as he is permitted to play the "ass" we must wrap ourselves for ever in the dark mantle of despair. His natural and passive ignorance are assuredly no essential nor quality of a man to take *in delibere* the character and liberty of Her Majesty's lieges. We instinctively recoil and shrink from comtemplation of a man that smites contrary to the law. There is about him, if we may be allowed the expression, a positive as well as a native ignorance. The one consists in the want of knowledge of the Law he is supposed to minister, the other in the adoption of inconsistency and error.

Those who appointed this Dogberry to the Bench may be honourable men, they may have had most excellent intentions, they may have duly considered his private worth, his great learning and unbounded integrity, but they could not comprehend the grasp of his mind; of the latter, there can be no surer test or argument than the man's irresolution—he always seems to be undetermined when the case is so plain, and the necessity so urgent.

We should be sorry to expose this Dogberry to ummerited obloquy, but we think, in common with hundreds, that he may be advantageously removed from a Court, the duties of which he is utterly incompetent to discharge. There are many reasons and sufficient grounds, for an address to the Minister of Justice, for the removal of this Dogberry, though no legal crime can be proved against him, yet, the commission of acts which disqualify him for the judicial office are alone sufficient.

Some recent decisions in the Police Court deserve the most serious consideration, and we have no hesitation in saying that a remedy ought to be applied to the evil, and that the evil ought to be checked in the only speedy and effectual manner, which is, in our judgment, the removal of this Dogberry from the Bench which he neither dignifies nor sheds lustre thereon—for there is an almost unanimous conviction in the minds of all who practice in the Court that he is thoroughly unfitted for his duties. The man has neither sagacity, self possession, nor the quality of discerning between right and wrong.—Nothing but expediency or inclination weighs in his balance.—How then can the scales of Justice be poised? An anxious and conscientious desire to promote the best purposes of Justice is not sufficient for his office, even supposing he possessed it.

The services of a man of talent in such a Court are required; of a man yet in the prime of life; and in the full vigour of his understanding; a man about whose purity there can be but one opinion; assuredly, such a man is to be found, if so, there would not be the chance, as there now is, for the commission of great injustice towards individuals and the infliction of a serious injury on the public service. It is neither wise nor just to keep such a Dogberry in office—Would it not be a benefit to the cause of Justice if such a man were removed to a sphere where his talents may be turned to the good of the Public?

The liberty of the subject cries aloud for an alteration.

We do not want Justice cheated by caprice, nor perverted by ignorance.—We do not want the days of Hildebrand, or Louis the XIVth.—In spite of the Minister of Justice, reforms in the administration of Justice in this Province must be carried. Magistrates and Judges must, like Cæsar's wife, be above suspicion.—Our Courts of Justice must be reformed, therefore let those who appoint the Magistrates and the Judges be content to guide that movement of reform which they cannot stop—Let us have by Reform what other nations and people seek by Revolution—At all events, and at all hazards, the Reform must come.

That our Courts of Law want reforming is only too evident. How are they to be reformed? If the salt shall lose its savour, wherewith shall we season it? The distrust with which the public regards our Police Court may be unjust. But what then? Can the distrust be removed? That it exists cannot be denied. Palliatives, and Anodynes and Expedients will not do—Let us cut out the cancer, the leprous spot, let the cause of the disease be removed—a diseased judgment seat is intolerable. Men without either brain power, or heart power ought not to remain on the judgment seat. That is not the easy chair for political hacks, at least so thinks

THE COUNCIL OF TEN.